

The Honorable Ronald B. Leighton

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA**

CHERYL KATER and SUZIE KELLY,
individually and on behalf of all others
similarly situated,

Plaintiffs,

v.

CHURCHILL DOWNS INCORPORATED, a
Kentucky corporation, and BIG FISH
GAMES, INC., a Washington corporation.

Defendants.

No. 2:15-cv-00612-RBL

DECLARATION OF TODD LOGAN

MANASA THIMMEGOWDA, individually
and on behalf of all others similarly situated,

Plaintiff,

v.

BIG FISH GAMES, INC., a Washington
corporation; ARISTOCRAT
TECHNOLOGIES INC., a Nevada
corporation; ARISTOCRAT LEISURE
LIMITED, an Australian corporation; and
CHURCHILL DOWNS INCORPORATED, a
Kentucky corporation,

Defendants.

No. 2:19-cv-00199-RBL

DECLARATION OF TODD LOGAN

1 Pursuant to 28 U.S.C. § 1746, I declare and state as follows:

2 1. I am an attorney at Edelson PC, which has been retained to represent Plaintiffs in
3 the above-captioned matters. I am entering this declaration in support of Plaintiffs' Response to
4 Defendants' Renewed Motion to Compel Arbitration.

5 2. I have personal knowledge of the matters stated herein and, if called upon, I could
6 and would competently testify thereto.

7 3. Attached hereto as Exhibit 1 is a true and accurate copy of an email I received
8 from Emily Henn, counsel for Big Fish Games, Inc. Ms. Henn represented that "Big Fish Games,
9 Inc. agrees that under Rule 19(a)(1)(A) and (B)(i) it is a necessary party to the above-captioned
10 case."

11 4. Attached hereto as Exhibit 2 is a true and accurate copy of an email I sent on
12 February 28, 2019 to Matthew Berry, then-counsel for Churchill Downs Incorporated. My email
13 flagged "the addition of Ms. Kelly as a plaintiff" in Plaintiff Kater's proposed amended
14 complaint. My email cc'd Emily Henn, counsel for Big Fish Games, Inc.

15
16 I declare under penalty of perjury that the foregoing is true and correct.

17
18 Executed on April 24, 2020 at San Francisco, California.

19
20 /s/ Todd Logan